



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**MONDAY
October 22, 2001**

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01-22

DMB:dmb

The meeting was called to order at 9:35 a.m., with all Members being present, with the exception of Supervisor Connolly and Supervisor Mendelsohn, and with Chairman Hanley presiding.

Supervisor Connolly and Supervisor Mendelsohn arrived at 9:45 a.m.

Others present were Anthony H. Griffin, County Executive; David P. Bobzien, County Attorney; Catherine A. Chianese, Assistant to the County Executive; Christina M. Manning, Assistant to the County Executive; Nancy Vehrs, Clerk to the Board of Supervisors; and Patti M. Hicks, Deputy Clerk to the Board of Supervisors.

BOARD MATTERS

1. **MOMENT OF SILENCE** (Tape 1)

Chairman Hanley asked everyone to keep in thoughts and prayers the family of Mr. Myron Smith who died last week. Mr. Smith was an important member of the Greenbriar community and his extensive contributions to transportation and community goals will be missed.

Chairman Hanley asked everyone to keep in thoughts and prayers the family of the patient at the Inova Fairfax Hospital who is not a Fairfax County resident but has been identified with inhalation anthrax. Chairman Hanley emphasized that while anthrax is not contagious, fear is; consequently, individuals who believe that they may have symptoms and could have been exposed to anthrax should contact the County's Anthrax Information Line at 703-246-3796, which is in operation seven days a week, from 7 a.m. to 11 p.m.

Supervisor Hudgins asked everyone to keep in thoughts and prayers the family of Mr. Thomas R. Osberg, a resident of Reston, who recently died. Mr. Osberg was instrumental in establishing the Hunter Mill Land Use Committee.

Supervisor Gross asked everyone to keep in thoughts and prayers the family of Mr. Harry Van Cleve, who was a resident of Pinecrest. Mr. Van Cleve not only had a career as a distinguished attorney for the federal government, but he also was a driving force behind the Friends of Green Spring and served on the Adult Rehabilitation Center of the Salvation Army in Mason District.

Supervisor Gross asked everyone to keep in thoughts and prayers the family of Mr. Pedro C. Ortiz, who died last week. Mr. Ortiz, was an architect and distinguished painter.

AGENDA ITEMS

2. **ORDERS OF THE DAY** (Tape 1)

Chairman Hanley announced that there would be a change in the Orders of the Day and that the Board would proceed with the Certificate of Recognition Presented to Chantilly Cannons Under-17 Select Soccer Travel Team.

3. **CERTIFICATE OF RECOGNITION PRESENTED TO DELEGATE JIM SCOTT AND THE HOUSE JOINT RESOLUTION 276 COMMITTEE**
(No Tape)

(NOTE: Later in the meeting action was taken regarding this item. See Clerk's Summary Item CL#7.)

4. **CERTIFICATE OF RECOGNITION PRESENTED TO CHANTILLY CANNONS UNDER-17 SELECT SOCCER TRAVEL TEAM** (Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Certificate of Recognition presented to Chantilly Cannons Under-17 Select Soccer Travel Team for winning the Holland Cup. Supervisor Hudgins seconded the motion and it carried by unanimous vote.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

ADDITIONAL BOARD MATTER

5. **OPENING OF THE NEW BRADDOCK DISTRICT OFFICE** (Tape 1)

Supervisor Bulova said that on Wednesday, October 24, 2001, from 11 a.m. until 1 p.m., there will be an Office-Warming and Time Capsule-Installation Ceremony at her new office located in a new wing of the Kings Park Library on Burke Lake

Road. She requested that a photograph of the Board be taken at this time to include in the contents of the time capsule, which will be opened in 2051.

(NOTE: Later in the meeting this issue was discussed. See Clerk's Summary Item CL#51.)

AGENDA ITEMS

6. **CERTIFICATE OF RECOGNITION PRESENTED TO MS. PUNEET GAMBHIR** (Tape 1)

Supervisor Mendelsohn moved approval of the Certificate of Recognition presented to Ms. Puneet Gambhir for her appointment to the inaugural Youth Partnership Team for America's Promise. Chairman Hanley seconded the motion and it carried by unanimous vote.

7. **CERTIFICATE OF RECOGNITION PRESENTED TO DELEGATE JIM SCOTT AND THE HOUSE JOINT RESOLUTION 276 COMMITTEE** (Tape 1)

Supervisor Connolly moved approval of the Certificate of Recognition presented to Delegate Jim Scott and the House Joint Resolution 276 Committee for their effort and dedication to make the Tysons Corner area a better place to work and live. Supervisor Mendelsohn seconded the motion and it carried by unanimous vote.

8. **CERTIFICATE OF RECOGNITION PRESENTED TO CHANTILLY CANNONS UNDER-17 SELECT SOCCER TRAVEL TEAM** (No Tape)

(NOTE: Earlier in the meeting the Board took action on this item. See CL#4.)

9. **PROCLAMATION DESIGNATING OCTOBER 27, 2001, AS "VOLUNTEERFEST® DAY" IN FAIRFAX COUNTY** (Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Proclamation designating October 27, 2001, as "*Volunteerfest® Day*" in Fairfax County. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Kauffman being out of the room.

10. **PROCLAMATION PROCLAIMING NOVEMBER 9 - 16, 2001, AS "SUBSTANCE ABUSE AWARENESS WEEK" IN FAIRFAX COUNTY** (Tape 1)

Chairman Hanley moved approval of the Proclamation proclaiming November 9 - 16, 2001, as "*Substance Abuse Awareness Week*" in Fairfax County. Supervisor Hudgins seconded the motion and it carried by a vote of eight, Supervisor Connolly and Supervisor Mendelsohn being out of the room.

11. **RESOLUTION OF ACKNOWLEDGMENT PRESENTED TO INOVA FAIRFAX HOSPITAL TRANSPLANT CENTER** (Tape 1)

Chairman Hanley moved adoption of the Resolution of acknowledgment presented to the Inova Fairfax Hospital Transplant Center on the fifteenth anniversary of its first heart transplant and the tenth anniversary of its first lung transplant. Supervisor McConnell seconded the motion and it carried by a vote of eight, Supervisor Connolly and Supervisor Mendelsohn being out of the room.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

12. **CERTIFICATE OF RECOGNITION PRESENTED TO MS. SHARON KELSO** (Tapes 1-2)

Supervisor Kauffman moved approval of the Certificate of Recognition presented to Ms. Sharon Kelso for receiving the Public Citizen of the Year of the State of Virginia award from the National Association of Social Workers. Chairman Hanley seconded the motion and it carried by a vote of eight, Supervisor Connolly and Supervisor Frey being out of the room.

13. **PROCLAMATION DESIGNATING NOVEMBER 15, 2001, AS "AMERICA RECYCLES DAY " IN FAIRFAX COUNTY** (Tape 2)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Proclamation designating November 15, 2001, as "*America Recycles Day*" in Fairfax County. Supervisor Hudgins seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

14. **10 A.M. – 2001 EXCEPTIONAL DESIGN AWARDS CEREMONY** (Tape 2)

This is the seventeenth year of the Exceptional Design Awards Program. Ninety-six projects have been recognized for their design excellence over that time. The awards were presented by Charles Matta, AIA, Chairman of the Design Jury. The award winners and projects were:

Honor Award: Accenture Ideas Exchange (Commercial, Office - Interior Architecture)

Architect: Gensler, Washington, DC

Owner/Developer: Accenture Ideas Exchange

Year Built: 2001

Merit Award: Central Cooling Plant Addition (Commercial, Office)
Architect: James William Ritter Architect, Alexandria, Virginia
Owner/Developer: Freddie Mac
Year Built: 1988

Merit Award: Fairchild Dornier Headquarters (Commercial, Office - Interior Architecture)
Architect: Spector, Knapp and Baughman, Limited, Washington, DC
Owner/Developer: Fairchild Dornier Headquarters
Year Built: 2000

Honorable Mention: The Harris Residence (Residential, Single-family Detached)
Architect: DW Ricks Architects and Associates, PC, Arlington, Virginia
Owner/Developer: Henry and Joyce Harris
Year Built: 1999

Honorable Mention: Raber Shed (Residential, Single-family Detached)
Architect/Designer: Christianna Raber, Alexandria, Virginia
Owner/Developer: Christianna Raber
Year Built: 1999

SBE:sbe

15. **ORDERS OF THE DAY** (Tape 3)

Because a full Board was not present at the dais, Chairman Hanley announced that the Board would proceed with the Administrative Items.

15A. **10 A.M. - APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS** (No Tape)

(NOTE: Later in the meeting action was taken on this item. See Clerk's Summary Item CL#17.)

16. **ADMINISTRATIVE ITEMS** (Tape 3)

Supervisor Hyland moved approval of the Administrative Items. Supervisor Gross seconded the motion.

Supervisor Mendelsohn called the Board's attention to Admin 5 – Authorization to Advertise a Public Hearing on Proposed Amendments to the Code of the County of Fairfax, Chapter 104 (Erosion and Sedimentation Control) Regarding Responsible Land Disturber Certification and discussion ensued with input from John Friedman, staff, Office of Site Development Services, Department of Public Works and Environmental Services.

Supervisor Connolly asked unanimous consent that the Board direct staff to publicize on all appropriate literature and forms that State regulations require all projects that require a erosion and sediment control plan to have an individual who has been certified a responsible land disturber to be in overall charge of the grading and maintenance of the erosion and sediment plan. This is a County requirement because it is a State requirement. Without objection, it was so ordered.

Following further discussion, with input from Mr. Friedman, the question was called on the motion to approve the Administrative Items and it carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

**ADMIN 1 – ADOPTION OF A RESOLUTION APPROVING THE
ISSUANCE OF A BOND ISSUE BY THE FAIRFAX COUNTY
ECONOMIC DEVELOPMENT AUTHORITY (EDA) ON BEHALF OF
YOUNG MEN'S CHRISTIAN ASSOCIATION OF METROPOLITAN
WASHINGTON (THE INSTITUTION)(HUNTER MILL DISTRICT)**

(R)

(Bonds)

Adopted the Resolution approving the issuance of a bond issue by the EDA on behalf of the Institution.

**ADMIN 2 – STREETS INTO THE SECONDARY SYSTEM (HUNTER
MILL AND SULLY DISTRICTS)**

(R)

Approved the request that the streets listed below be accepted into the Secondary System.

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Crippins Corner	Hunter Mill	Hunter Gate Way Crippen Vale Court Stable Farm Court Baron Cameron Avenue Route 606 Additional ROW Only Leesburg Pike Route 7 Additional ROW Only
Crossfields, Section 2	Hunter Mill	Clareth Drive Route 8802 Delevan Drive Route 4723 Dylan Schar Court

Hampton Woods, Section 4	Sully	Tractor Lane Route 8499 Crouch Drive
Oakton Ridge	Sully	Autumn Crest Drive Autumn Crest Court Spring Rain Court Pond Mist Way West Ox Road Route 608 Additional ROW Only
Senes Property, Section 1	Sully	Harrow Lane Route 8498
Senes Property, Section 2	Sully	Crouch Drive

ADMIN 3 – PROPOSED STREET NAME CHANGE FOR HORSE PEN ROAD AND A PORTION OF FOX MILL ROAD (HUNTER MILL DISTRICT)

Approved the street name change in the *Official Street Names and Property Numbering Atlas* to Sunrise Valley Drive for Horse Pen Road and a portion of Fox Mill Road that merges with Sunrise Valley Drive, crosses over Centreville Road and continues west to Horse Pen Road, on Tax Maps Numbers 015-2, 015-4, 016-1, and 016-3, in accordance with the Code of the County of Fairfax, Chapter 102 (Streets and Sidewalks), Section 1-9.

ADMIN 4 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING REGARDING THE CONVEYANCE OF COUNTY-OWNED PROPERTY KNOWN AS LONG PLACE TO FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) (BRADDOCK DISTRICT)

(A)

- Authorized the advertisement of a public hearing to be held before the Board on **December 3, 2001, at 4 p.m.** regarding the proposed conveyance of County-owned property to the FCRHA.
- Directed staff to notify adjacent property owners of the public hearing by certified mail.

ADMIN 5 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 104 (EROSION AND SEDIMENTATION CONTROL) REGARDING RESPONSIBLE LAND DISTURBER CERTIFICATION

- (A) (NOTE: Earlier in the meeting, the Board took additional action on this item. See page 5.)

Authorized the advertisement of a public hearing to be held before the Board on **November 19, 2001, at 3:30 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 104 (Erosion and Sedimentation Control) regarding responsible land disturber certification.

ADMIN 6 – AUTHORIZATION FOR THE FIRE AND RESCUE DEPARTMENT (FRD) TO APPLY TO THE US AGENCY FOR INTERNATIONAL DEVELOPMENT, BUREAU FOR HUMANITARIAN RESPONSE, OFFICE OF FOREIGN DISASTER ASSISTANCE (USAID/OFDA) FOR GRANT FUNDS TO CONTINUE TO SUPPORT THE INTERNATIONAL URBAN SEARCH AND RESCUE PROGRAM

- Approved FRD's cooperative agreement with USAID/OFDA.
- Approved FRD's grant application for federal funds in the amount of \$553,732. This funding is available under the cooperative agreement to develop, maintain, and deploy an urban search and rescue team with international response capabilities. A local cash match of \$51,320 is required, for a total program cost of \$605,052.

ADMIN 7 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 02037 FOR THE FIRE AND RESCUE DEPARTMENT TO ACCEPT FIRE PROGRAM GRANT FUNDS FROM THE TOWN OF HERNDON

- (SAR) Approved SAR AS 02037 in the amount of \$22,950 for the FRD to accept funds from the Town of Herndon as provided by the Commonwealth of Virginia, Department of Fire Programs, Fire Programs Fund, for the improvement of volunteer and career fire service operations in the Commonwealth. No local cash match is required.

ADMIN 8 – EXTENSION OF REVIEW PERIODS FOR 2232 PUBLIC FACILITY REVIEW APPLICATIONS (DRANESVILLE, HUNTER MILL, MASON, PROVIDENCE, AND SULLY DISTRICTS)

Authorized the extension of review periods for the following Public Facility (2232) Review Applications to the dates noted:

- Application 2232-H01-19 to December 21, 2001

- Application FS-D01-46 to December 22, 2001
- Application FS-P01-49 to December 22, 2001
- Application FS-Y01-50 to December 27, 2001
- Application FSA-31-2 to January 3, 2002
- Application 2232-Y01-21 to January 6, 2002

**ADMIN 9 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION
FOR SPECIAL EXCEPTION APPLICATION SE 98-V-042, BELLE
HAVEN COUNTRY CLUB (MOUNT VERNON DISTRICT)**

- (AT) Approved the request for 12 months of additional time for Special Exception Application SE 98-V-042 to August 8, 2002, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

**ADMIN 10 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING
ON A PROPOSAL TO VACATE AND ABANDON A PORTION OF
OVERLY DRIVE (ROUTE 3303) (LEE DISTRICT)**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **December 3, 2001, at 5 p.m.** to consider the vacation and abandonment of a portion of Overly Drive (Route 3303).

**ADMIN 11 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING
ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF
FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC),
APPENDIX G, EXPANDING THE MCLEAN RESIDENTIAL PERMIT
PARKING DISTRICT (RPPD), DISTRICT 21 (DRANESVILLE
DISTRICT)**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **November 19, 2001, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Appendix G, expanding the McLean RPPD, District 21.

NV:nv

17. **10 A.M. - APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS** (Tape 4)

(APPTS)

(BACs)

AIRPORTS ADVISORY COMMITTEE

The Board deferred the appointment of the Springfield District Representative to the Airports Advisory Committee.

ALCOHOL SAFETY ACTION PROGRAM LOCAL POLICY BOARD

The Board deferred the appointment of the At-Large #6 Representative to the Alcohol Safety Action Program Local Policy Board.

ATHLETIC COUNCIL

The Board deferred the appointment of the At-Large (Diverse Population) Representative to the Athletic Council.

CHARACTER COUNTS! TASK FORCE

The Board deferred the appointment of the Sully District Representative to the Character Counts! Task Force.

CHILD CARE ADVISORY COUNCIL

The Board deferred the appointment of the Springfield District Representative to the Child Care Advisory Council.

COMMISSION FOR WOMEN

The Board deferred the appointment of the Mason District Representative to the Commission for Women.

COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPLANTATION

The Board deferred the appointments of the At-Large (Minority) Representative and Springfield District Representatives to the Commission on Organ and Tissue Donation and Transplantation.

COMMUNITY ACTION ADVISORY BOARD

The Board deferred the appointments of the Dranesville and Mason District Representatives to the Community Action Advisory Board.

COMMUNITY IMPROVEMENT COMMITTEE

The Board deferred the appointments of the Braddock, Dranesville, Mason (Fairdale Community), Providence, Springfield, and Sully District Representatives to the Community Improvement Committee.

CRIMINAL JUSTICE ADVISORY BOARD

The Board deferred the appointments of the Mason and Springfield District Representatives to the Criminal Justice Advisory Board.

ENVIRONMENTAL QUALITY ADVISORY COUNCIL

Chairman Hanley moved the re-appointment of Ms. Sheila Roit as the At-Large #4 Representative to the Environmental Quality Advisory Council. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor Bulova moved the re-appointment of Mr. Ray Foote as the Braddock District Representative to the Environmental Quality Advisory Council. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor Kauffman moved the re-appointment of Ms. Johna Gagnon as the Lee District Representative to the Environmental Quality Advisory Council. Supervisor Connolly seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the At-Large #2, Springfield, and Sully District Representatives to the Environmental Quality Advisory Council.

ENGINEERING STANDARDS REVIEW COMMITTEE (3 years)**CONFIRMATION:**

Supervisor Hyland moved the confirmation of the following appointment to the Engineering Standards Review Committee:

- Mr. William C. Putman, P.E. as the National Association of Industrial and Office Properties Representative.

Supervisor Connolly seconded the motion, which carried by unanimous vote.

FAIRFAX AREA DISABILITY SERVICES BOARD (3 years)

Supervisor Bulova moved the re-appointment of Ms. Ann Zuvekas as the At-Large Business Community Representative to the Fairfax Area Disability Services Board. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor Hudgins moved the appointment of Mr. J. Neel Ellis to fill the unexpired term of Mr. Mike Magnotti as the Hunter Mill District Representative to the Fairfax Area Disability Services Board. Supervisor Connolly seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the At-Large, Dranesville, Mount Vernon, and Springfield District Representatives to the Fairfax Area Disability Services Board.

HISTORY COMMISSION

Supervisor Mendelsohn moved the appointment of Mr. David Olin as an At-Large Representative to the History Commission. Supervisor McConnell seconded the motion, which carried by unanimous vote.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved that the Board designate the Minority Seat #1 “as the Minority Seat on the History Commission.” This motion, the second to which was indistinguishable, carried by unanimous vote.

Chairman Hanley asked unanimous consent that the Board direct the Clerk to ensure that there is appropriate Supervisor District representation for this Commission. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

HUMAN SERVICES COUNCIL (4 years)

The Board deferred the appointment of the Braddock District #2 Representative to the Human Services Council.

INDUSTRIAL DEVELOPMENT AUTHORITY

The Board deferred the appointment of the At-Large #5 Representative to the Industrial Development Authority.

INFORMATION TECHNOLOGY POLICY ADVISORY COMMITTEE**CONFIRMATION:**

Chairman Hanley moved the confirmation of the following appointment to the Information Technology Policy Advisory Committee:

- Ms. Anne Kanter as the League of Women Voters of the Fairfax Area Representative

Supervisor Connolly seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the Springfield and Sully District Representatives to the Information Technology Policy Advisory Committee.

JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT CITIZENS ADVISORY COUNCIL (2 years)

The Board deferred the appointment of the Sully District Representative to the Juvenile and Domestic Relations District Court Citizens Advisory Council.

NORTHERN VIRGINIA TRANSPORTATION COORDINATING COUNCIL CITIZEN ADVISORY COMMITTEE (2 years)

Supervisor Hudgins announced that she had a nominee and would be circulating a résumé later.

The Board deferred the appointment of the At-Large Representative to the Northern Virginia Transportation Coordinating Council Citizen Advisory Committee.

OVERSIGHT COMMITTEE ON DRINKING AND DRIVING

The Board deferred the appointment of the At-Large #5 Representative to the Oversight Committee on Drinking and Driving.

TENANT LANDLORD COMMISSION

The Board deferred the appointment of the Tenant Member #1 Representative to the Tenant Landlord Commission.

TREE COMMISSION

The Board deferred the appointments of the Springfield and Sully District Representatives to the Tree Commission.

WATER AUTHORITY

The Board deferred the appointment of the Dranesville District Representative to the Water Authority.

YOUTH BASKETBALL COUNCIL ADVISORY BOARD (1 year)**CONFIRMATIONS:**

Supervisor Hyland moved the confirmation of the following appointments to the Youth Basketball Council Advisory Board:

- Mr. C. McClain Haddow as the Chairman
- Mr. E.J. Thomas as the Immediate Past President and the Vienna Youth Incorporated Alternate Representative
- Mr. Michael Stensrud as the Commissioner and the Fairfax Police Youth Club Alternate Representative
- Mr. Marcus England as the Secretary and the Mount Vernon Youth Association Representative
- Mr. Andy Gregory as the Member At-Large and Great Falls Athletic Association Alternate Representative
- Mr. Ed Feige as the Treasurer
- Mr. Bernie Conrow as the Boys Deputy Commissioner
- Mr. Thomas Howell as the Parliamentarian
- Mr. Lee Cooper as the Girls Deputy Commissioner
- Mr. Fred Plumb as the Scheduler and the Fort Hunt Athletic Association Alternate Representative
- Mr. George Lavelle as the Fairfax County Department of Community and Recreation Services Representative
- Mr. Curtis Boxley as the Alexandria City Recreation Representative

- Dr. Frank DeLatour as the Annandale Boys and Girls Club Representative
- Mr. Frank Hill as the Annandale Boys and Girls Club Alternate Representative
- Ms. Robin Leonard as the Arlington County Recreation Representative
- Mr. Sam Fox as the Arlington County Recreation Alternate Representative
- Mr. Kevin Prince as the Ashburn Athletic Association Representative
- Mr. Bob Bladel as the Ashburn Athletic Association Alternate Representative
- Mr. Grady Bryant as the Baileys Community Center Representative
- Mr. David Sheppard as the Baileys Community Center Alternate Representative
- Mr. Charles Morra as the Braddock Road Youth Club Representative
- Mr. Enrique Lamas as the Braddock Road Youth Club Alternate Representative
- Mr. John Niehoff as the Burke Basketball Representative
- Mr. Jack McHale as the Burke Basketball Alternate Representative
- Ms. Beth Reese as the Chantilly Youth Association Representative
- Mr. Rick Shryock as the Chantilly Youth Association Alternate Representative
- Ms. Yvonne King as the David R. Pinn Recreation Center Representative

- Mr. Mike Miller as the David R. Pinn Recreation Center Alternate Representative
- Mr. Mike Lupis as the Fairfax Police Youth Club Representative
- Mr. Danny Schlitt as the Falls Church Parks and Recreation Representative
- Ms. Cathy Sagads as the Falls Church Parks and Recreation Alternate Representative
- Mr. Richard L. Herman as the Fort Belvoir Youth Services Representative
- Mr. Kenneth Waters as the Fort Hunt Athletic Association Representative
- Mr. Paul Schneider as the Great Falls Athletic Association Representative
- Ms. Dawn Lucas as the Gum Springs Community Center Representative
- Ms. Tanya Alestock as the Gum Springs Community Center Alternate Representative
- Mr. Thomas Howell as the Herndon Optimist Club Representative
- Mr. Clark Blaha as the Herndon Optimist Club Alternate Representative
- Mr. Darryl Hylton as the Huntington Community Center Representative
- Mr. Jimmy Bernardez as the James Lee Community Center Representative
- Mr. Mike Harris as a James Lee Community Center Alternate Representative
- Ms. Joyce White as a James Lee Community Center Alternate Representative

- Mr. Ray Cicale as the Lee District Basketball Representative
- Mr. Terry Watt as the Lee District Basketball Alternate Representative
- Mr. Garrett Stone as the McLean Youth, Incorporated Representative
- Ms. Jan Brown as the McLean Youth, Incorporated Alternate Representative
- Mr. Antwan Harris as the Mott Community Center Representative
- Mr. Marcus England as the Mount Vernon Youth Association Representative
- Mr. Rex Reiley as the Mount Vernon Youth Association Alternate Representative
- Mr. Zack Trimiew as the Reston Youth Basketball League Representative
- Mr. Ron Wiley as the Reston Youth Basketball League Alternate Representative
- Mr. Bernie Conrow as the Southwestern Youth Association Representative
- Mr. Bob Korman as the Southwestern Youth Association Alternate Representative
- Mr. Jeff Friday as the Springfield Youth Club Representative
- Mr. Rob Barnard as the Springfield Youth Club Alternate Representative
- Mr. Fred McCarrick as the Turnpike Basketball Club Representative

- Mr. Dale Wilmot as the Turnpike Basketball Club Alternate Representative
- Mr. Taylor Roberts as the Vienna Youth Incorporated Representative

Supervisor Connolly seconded the motion, which carried by unanimous vote.

ADHOC COMMITTEES

HEALTH AND MEDICAL CARE DELIVERY TASK FORCE

The Board deferred the appointments of the Braddock, Mason, Springfield, and Sully District Representatives to the Health and Medical Care Delivery Task Force.

TELECOMMUNICATIONS (“MONOPOLES”) LAND USE TASK FORCE

The Board deferred the appointment of the Hunter Mill District Representative to the Telecommunications (“Monopoles”) Land Use Task Force.

ADDITIONAL APPOINTMENT

FAIRFAX COUNTY SMALL BUSINESS COMMISSION

Supervisor Connolly moved the appointment of Ms. Marjorie Castro to fill the unexpired term of Mr. Mubin Peshiman as the Providence District Representative to the Fairfax County Small Business Commission. Supervisor Mendelsohn seconded the motion, which carried by unanimous vote.

ECONOMIC DEVELOPMENT AUTHORITY

Chairman Hanley announced the resignation of Todd A. Stottlemeyer, At-Large #4 Representative to the Economic Development Authority.

(NOTE: Later in the meeting the Board made additional appointments. See Clerk’s Summary Item CL#60.)

SBE:sbe

18. **A-1 – APPROVAL OF THE FORM OF WRITTEN NOTICE TO BE USED IN CONNECTION WITH AN ORAL RABIES VACCINE DISTRIBUTION PROGRAM** (Tape 5)

Chairman Handley announced that action on this item would be deferred until after the public hearing this afternoon relating to the establishment of an oral rabies vaccine distribution program.

Supervisor Bulova asked unanimous consent that the Board direct staff to provide a map of the affected area prior to the public hearing. Following input from Anthony H. Griffin, County Executive, without objection, it was so ordered.

(NOTE: Later in the meeting, the Board took action on this item. See Clerk's Board Summary Item CL#85.)

19. **A-2 – AUTHORIZATION TO TRANSFER NORTHERN VIRGINIA TRANSPORTATION COMMISSION (NVTC) FUNDS TO PERFORM A FEASIBILITY STUDY FOR THE EXPANSION OF THE PARKING AREAS AT THE BURKE CENTRE AND ROLLING ROAD VIRGINIA RAILWAY EXPRESS (VRE) STATIONS (BRADDOCK AND SPRINGFIELD DISTRICTS)** (Tape 5)

On motion of Supervisor McConnell, seconded by Supervisor Bulova, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the transfer of \$200,000 available at the NVTC to Fund 303, County Construction, to perform the VRE parking expansion feasibility study.

20. **A-3 – ENDORSEMENT OF DESIGN PLANS FOR A PARK-AND-RIDE FACILITY ON GAMBRILL ROAD (ROUTE 640) AT THE FAIRFAX COUNTY PARKWAY (ROUTE 7100) (MOUNT VERNON DISTRICT)** (Tape 5)

Supervisor Hyland moved that the Board defer action on this item until the November 19, 2001, Board meeting. The second to this motion was indistinguishable.

Following discussion, the question was called on the motion, which carried by unanimous vote.

21. **C-1 – REVISED AFFIDAVIT FORMS FOR REZONING, SPECIAL EXCEPTION, SPECIAL PERMIT, AND VARIANCE APPLICATIONS** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated October 22, 2001, requesting Board adoption of proposed revisions to

affidavit forms for rezoning, special exception, special permit, and variance applications.

Karen J. Harwood, Deputy County Attorney, presented a brief description of the proposed revisions to affidavit forms for rezoning, special exception, special permit, and variance applications to the Board.

Following discussion, with input from Ms. Harwood, Supervisor McConnell moved approval of the proposed revisions to the affidavit forms for rezoning, special exception, special permit, and variance applications with the use of the revised affidavit form to have a delayed effective date of November 13, 2001. At the applicant's option, the newly revised affidavit form may be submitted in applications filed before November 13, 2001. Supervisor Bulova seconded the motion, which carried by a vote of nine, Supervisor Mendelsohn being out of the room.

22. **I-1 – PLANNING COMMISSION ACTION ON PUBLIC FACILITIES APPLICATION 2232-Y01-20, FAIRFAX COUNTY PARK AUTHORITY (SULLY DISTRICT)** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated October 22, 2001, announcing the Planning Commission's approval of Public Facilities Application 2232-Y01-20.

23. **I-2 – PLANNING COMMISSION ACTION ON PUBLIC FACILITIES APPLICATION 2232-V01-13, FAIRFAX COUNTY WATER AUTHORITY (MOUNT VERNON AND SPRINGFIELD DISTRICTS)** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated October 22, 2001, announcing the Planning Commission's approval of Public Facilities Application 2232-V01-13.

24. **I-3 – AMENDMENT TO THE ARCHITECTURAL/ENGINEERING CONTRACT FOR THE DESIGN OF THE FAIRFAX CENTER FIRE STATION (SPRINGFIELD DISTRICT)** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated October 22, 2001, requesting authorization for staff to award a contract addendum to Hughes Group Architects in the amount of \$537,505 for complete design, construction administration, and associated services for a new 14,000 square foot fire station, the Fairfax Center Fire Station, Project 009079, within Subfund 312, Public Safety Construction.

The staff was directed administratively to proceed as proposed.

25. **I-4 – CONTRACT AWARD – SOUTH VAN DORN STREET PHASE III REGIONAL POND DC 106 - STORM DRAINAGE IMPROVEMENT (LEE DISTRICT)** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated October 22, 2001, requesting authorization for staff to award a contract to Merit Contractors, Incorporated, in the amount of \$677,460 for the construction of Regional Pond DC 106 Storm Drainage Improvement, in Project 064135, South Van Dorn Street Phase III, in Fund 304, Primary and Secondary Road Bond Construction.

Following a brief discussion, the staff was directed administratively to proceed as proposed.

26. **I-5 – ARCHITECTURAL/ENGINEERING CONTRACT AWARD - DESIGN OF CROSSPOINTE FIRE STATION (SPRINGFIELD DISTRICT)** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated October 22, 2001, requesting authorization for staff to award a contract to Samaha Associates, P.C., in the amount of \$542,455 for the design and construction of a new 4-bay, 14,000 square foot fire station and associated site work located at 8716 Ox Road, Fairfax Station, Crosspointe Fire Station, Project 009210, within Fund 312, Public Safety Construction.

The staff was directed administratively to proceed as proposed.

27. **I-6 – CONTRACT AWARD – WASTEWATER PUMP STATION RENOVATION (MOUNT VERNON, DRANESVILLE, LEE, AND PROVIDENCE DISTRICTS)** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated October 22, 2001, requesting authorization for staff to award a contract to ALPHA Construction Company, Incorporated, in the amount of \$1,177,000 for Wastewater Pump Station Renovations, in Project I00351, Pump Station Renovations, in Fund 402, Sewer Construction Improvements.

The staff was directed administratively to proceed as proposed.

28. **I-7 – CONTRACT AWARD – RENOVATION OF ATHLETIC FIELDS AT MANCHESTER LAKES PARK (LEE DISTRICT)** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated October 22, 2001, requesting authorization for staff to award a contract to Sagres Construction Corporation in the amount of \$159,500 for the renovation of two soccer fields at Manchester Lakes Park as part of Project 004750, Park Proffers in Fund 371, Park Capital Improvement Fund.

The staff was directed administratively to proceed as proposed.

29. **I-8 – FAIRFAX COUNTY LICENSE PLATE PROMOTION; CELEBRATE OUR HISTORY** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated October 22, 2001, requesting authorization for staff to promote the sale of the Fairfax County license plate.

Following discussion, on behalf of the Board, Supervisor Connolly commended Supervisor Gross for spearheading this effort.

The staff was directed administratively to proceed as proposed.

30. **I-9 – CONTRACT AWARD – ACTUARIAL SERVICES FOR RETIREMENT ADMINISTRATION AGENCY** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated October 22, 2001, requesting authorization for staff to award a contract to Milliman USA, Incorporated, for the preparation of actuarial valuations and other actuarial studies for the Fairfax Retirement System. The total estimated award of this contract is \$195,000. Funds of \$65,000 for this year's contract amount have been included in the Fiscal Year 2002 budget. There are three possible one-year renewals in the contract provisions.

The staff was directed administratively to proceed as proposed.

ADDITIONAL BOARD MATTERS

NV:nv

31. **EMERGENCY PREPAREDNESS MEETINGS** (Tape 6)

Chairman Hanley reminded the Board that in preparation for and to allay fears for Y2K, the County had conducted a series of informational meetings around the County addressing issues of emergency preparedness. She asserted that it is time to conduct such meetings again in light of the events of September 11, 2001, and subsequent unsettling events. Citizens need a forum to hear from and ask questions of County public safety, health care, transportation, and public works and utilities officials about emergency preparedness.

Chairman Hanley noted that the County Executive established an Emergency Management Coordinating Committee to coordinate plans and responses and that such information should be shared with the public and private sector. Accordingly, she relinquished the Chair to Vice-Chairman Hyland and moved that the Board direct the County Executive, working with the Office of Public

Affairs and all the public and private agencies previously mentioned, as well as any others who would be appropriate, to schedule at least four public meetings in different areas of the County as soon as possible to give citizens an opportunity to hear from and question public officials. Supervisor McConnell seconded the motion.

Following discussion, Supervisor Kauffman announced that the Lee District Association of Citizens Associations meeting scheduled for Wednesday, October 24 at 7:30 p.m. at the Franconia Police Station will be addressing this issue.

Following further discussion, with input from Anthony H. Griffin, County Executive, the question was called on the motion, which carried by a vote of nine, Supervisor McConnell being out of the room.

32. **SUPPORT OF RAIL TO DULLES AIRPORT** (Tape 6)

Chairman Hanley distributed to the Board copies of a letter from the County's three congressmen to Secretary of Transportation Norman Mineta in which they had requested the Secretary to expedite (rail) transit to Dulles Airport. Accordingly, she moved that the Board go on record in support of their effort. Supervisor Connolly seconded the motion.

Following discussion, the question was called on the motion, which carried by a vote of nine, Supervisor McConnell being out of the room.

33. **LETTER TO SENATOR JOHN WARNER REGARDING THE EFFECTS OF DISASTER OPERATIONS** (Tape 6)

Chairman Hanley distributed to the Board copies of a letter to Senator John Warner regarding the effects of disaster operations. The letter included a compilation of cost estimates by department.

34. **EFFECTS OF CLOSURE OF WOODLAWN ROAD AT FORT BELVOIR** (Tape 6)

Supervisor Kauffman asked unanimous consent that the Board direct staff to draft a letter to Senator Warner expressing the Board's concerns regarding the closure of Woodlawn Road to through traffic and requesting the review and evaluation of the necessity of keeping that roadway closed because of its critical role in the flow of area traffic. Discussion ensued.

Supervisor Hyland stated that the road closure affected a voting location because voters would have to show picture identification to drive on the road to access the location.

Supervisor Connolly noted that the National Capital Area Chapter of the American Red Cross closed its Loehmann's Plaza location and opened an office at Fort Belvoir. He asked unanimous consent that the Board direct staff to determine whether the access points at Fort Belvoir have affected the ability of the National Capital Area Chapter of the American Red Cross to function in that location. Without objection, it was so ordered.

Supervisor Kauffman moved that the Board direct staff to draft a letter from the Chairman to Senator Warner and the entire local Congressional Delegation re-emphasizing all of the three aforementioned points. Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor McConnell being out of the room.

35. **AMERICAN INDIAN HERITAGE MONTH** (Tape 6)

Chairman Hanley announced that November is nationally recognized as American Indian Heritage Month. Accordingly, she moved that the Board direct staff to invite representatives of the Office of Equity Programs and the American Indian community to appear before the Board on November 19, 2001, to receive a proclamation declaring November as "*American Indian Heritage Month*" in Fairfax County. Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor McConnell being out of the room.

36. **POSTCARDS** (Tape 6)

Chairman Hanley stated that it had been called to her attention, both by constituents and staff, that there is a paucity in the selection of postcards available for purchase at the Government Center's Maps and Publications' gift shop. She asked unanimous consent that the Board direct staff to review the feasibility of expanding the selection of postcards available including those available at the Park Authority's gift shops.

Supervisor Connolly asked to amend the request to direct staff to determine whether the gift shop can include the Fairfax fire back for sale as well, and this was accepted.

Without objection, the request, as amended, was so ordered.

37. **RECOGNITION OF MR. NED FOSTER** (Tape 6)

Chairman Hanley stated that the Little Rocky Run Homeowners Association contacted her to request that the Board recognize the volunteer efforts of Mr. Ned Foster. Accordingly, she moved that the Board direct staff to prepare and send a certificate of recognition to Mr. Foster for his ten years of volunteer efforts to preserve Little Rocky Run. Supervisor Bulova seconded the motion, which carried by a vote of nine, Supervisor McConnell being out of the room.

38. **FAIRFAX COUNTY COMBINED CHARITABLE CAMPAIGN 2001**
(Tape 6)

Chairman Hanley announced that Deputy County Executive Verdia L. Haywood is serving as this year's chairman of the Fairfax-Falls Church United Way Campaign. The Fairfax County Combined Charitable Campaign kicked off on Friday October 12, 2001, to encourage employee participation. Employees are once again being called upon to "give back" to meet the needs of the community.

Chairman Hanley challenged each Board Member and the Clerk to solicit participation from their offices in a quest for the highest percentage of participation. Accordingly, she asked unanimous consent that the Board direct the Clerk to distribute additional pledge cards and campaign brochures to each Board Member's office to assist in expanding employee participation. Without objection, it was so ordered.

39. **GASOLINE PRICES** (Tape 6)

Chairman Hanley stated that she had received an inquiry from a citizen asking why gasoline prices were so much higher in Fairfax County than in other jurisdictions.

Following discussion, with input from Anthony H. Griffin, County Executive, Chairman Hanley asked unanimous consent that the Board direct staff to determine why there is a disparity in prices. Without objection, it was so ordered.

40. **"DE" DAY PRESENTATION** (Tape 6)

Chairman Hanley stated that she had received a request from the League of Women Voters to announce that on Saturday, October 27, 2001, from 10 a.m. – 12 noon in the Board Auditorium of the Government Center there will be a presentation of "Choices After DE-Day January 1, 2002," program. "DE-Day" refers to electric deregulation day.

41. **POLICY FOR SCHOOL ABSENCES RELATING TO APPEARANCES BEFORE THE BOARD OF SUPERVISORS** (Tape 6)

With reference to presentations earlier in the meeting, Chairman Hanley asked unanimous consent that the Board direct staff to determine in writing the School Policy regarding excused and unexcused absences for students who appear before the Board for recognition.

Following discussion, with input from Anthony H. Griffin, County Executive, the request was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

PMH:pmh

42. **LANGLEY HIGH SCHOOL WINS STATE GOLF TITLE** (Tape 7)

Supervisor Mendelsohn announced that the Langley High School golf team won the State golf title.

Supervisor Mendelsohn asked unanimous consent that the Board direct staff to invite the team to appear before the Board to be recognized for their accomplishment. Without objection, it was so ordered.

43. **RECOGNITION OF VOLUNTEER FIRE AND RESCUE COMPANIES** (Tape 7)

Supervisor Mendelsohn said that for the last two Board meetings, the Board has been recognizing public safety employees for their response to the events of September 11, 2001.

Supervisor Mendelsohn noted that there are volunteer fire and rescue companies and over 200 active, operational fire and rescue volunteers in Fairfax County. These volunteers supplement the Fire and Rescue Department by contributing tens of thousands of hours of volunteer service and purchasing millions of dollars of equipment each year.

Supervisor Mendelsohn said that fire and rescue volunteers from Fairfax County gave over 4,000 hours total in the time frame of September 11 and 12, 2001. He added that many volunteers even remained on duty, away from their families and paying jobs, for 36 hours straight.

Many of these extra units were deployed to McLean, eastern Fairfax County, and Arlington County to fill in for the numerous units that were fighting the inferno at the Pentagon. In addition, at least four volunteer units were called to work at the scene of the Pentagon incident.

Therefore, Supervisor Mendelsohn asked unanimous consent that the Board recognize the outstanding service given to the citizens of Fairfax County by their volunteer firefighters and emergency medical technicians during this national tragedy. Without objection, it was ordered.

Supervisor Connolly announced that on Saturday, the Tysons Corner Center kicked off a yearlong effort on behalf of the volunteer fire departments. He said that they have created kiosks throughout the mall with information and photographs. He distributed to Board Members a self-mailer for contributions.

44. **RECOGNITION OF OFFICER ISAAC HOOPII OF THE PENTAGON'S BOMB-SNIFFING CANINE UNIT** (Tape 7)

Supervisor Mendelsohn said the courageous acts of one of his constituents have been the subject of newspaper articles and television coverage over the past several weeks. The actions of Officer Isaac Hoopii of the Pentagon's bomb-sniffing canine unit in responding as a virtual guardian angel in rescuing survivors of the Pentagon disaster were certainly acts of heroism that deserve special recognition. He distributed to Board Members copies of newspaper articles and a letter from Senator Daniel Akaka detailing these acts of heroism and the response from one of the survivors who owes his life to the efforts of Officer Hoopii.

Therefore, Supervisor Mendelsohn moved that the Board direct staff to invite Officer Hoopii and his family to appear before the Board at a date to be determined to be recognized and congratulated for Officer Hoopii's remarkable acts of professionalism and heroism in response to the events of September 11, 2001. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

45. **INTENT TO DEFER THE PUBLIC HEARING ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 91-L-053-5 (WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY) (LEE DISTRICT)** (Tape 7)

Supervisor Kauffman announced his intent later in the meeting, at the appropriate time, to defer the public hearing on Special Exception Amendment Application SEA 91-L-053-5 until November 19, 2001, at 3:30 p.m.

(NOTE: Later in the meeting the public hearing was formally deferred. See Clerk's Summary Item CL#78.)

46. **CRESTWOOD ELEMENTARY SCHOOL** (Tape 7)

Supervisor Kauffman said that the children of Crestwood Elementary School have been recognized by the President of the United States for their hard work and generosity in raising money for the America's Fund for Afghan children.

Supervisor Kauffman said that on October 16, 2001, ten Crestwood children, led by Principal Patricia Zissios, met President Bush and presented him and the American Red Cross with a check for \$2,000. The children raised the money through their school's annual wrapping sale. The money was raised in one week by a school where more than 35 percent of the 525 children are on free or reduced lunch.

Supervisor Kauffman moved that the Board direct staff to invite Dr. Zissios, teaching staff, parents and children to appear before the Board on November 19,

2001, to be recognized for their efforts. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

47. **WAIVER OF FEES FOR USE OF SHOWMOBILE** (Tape 7)

Supervisor Kauffman said that American Legion Post 176 and the Veterans of Foreign Wars Post 7327 sponsor an annual Veterans Day celebration. This year, the celebration will include a dedication ceremony for the new Amherst Street Bridge Veterans Memorial and a performance by the Coast Guard brass ensemble.

Supervisor Kauffman said that to honor the veterans, the bridge will be fitted on each end with bronze plaques commemorating each of the five military services. The dedication ceremony will be conducted at 11 a.m. on Sunday, November 11, 2001. He extended an open invitation to Board Members and all citizens who wish to attend this event on the National observance of Veterans Day.

Supervisor Kauffman noted that the County's Showmobile has been reserved for this event. In recognition of the contribution to community and patriotic spirit that this event brings, Supervisor Kauffman moved that the Board waive the fees associated with the use of the Showmobile for this occasion. Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Connolly and Supervisor McConnell being out of the room.

48. **VACATION OF LENCLAIR STREET** (Tape 7)

Supervisor Kauffman said that the public hearing on the vacation of a portion of Lenclair Street was deferred at the last Board meeting. The deferral was necessary to gather more information from the applicant and to allow the applicant to meet with the Groveton Civic Association before Board action.

Supervisor Kauffman moved that the Board authorize the advertisement of a public hearing to be held before the Board on December 3, 2001, regarding the vacation of Lenclair Street. Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Connolly and Supervisor McConnell being out of the room.

49. **LEE DISTRICT TOWN MEETING AND TOUR DE LEE** (Tape 7)

Supervisor Kauffman invited Board Members and members of the community to join him and Lee District residents during the weekend of October 27-28, 2001, as they continue their work of ensuring a sustainable community.

On Saturday, October 27, 2001, Supervisor Kauffman will host a district-wide town meeting at Lane Elementary School. The town meeting will begin at 10 a.m. with speakers representing the County, State, and community.

Supervisor Kauffman noted that on Sunday, October 28, the second annual Tour de Lee will be held. The Tour de Lee is a bicycle event geared to riders of all abilities. Its purpose is to promote family and fun and to showcase the bicycle opportunities in Fairfax County's Lee District.

Supervisor Kauffman said that this year the tour is being expanded to include three routes. All rides will end at Lee District Park where the Franconia police station bike team will stage a bike rodeo for children and there will be plenty of refreshments.

50. **ROBERTS PARKWAY OVERPASS DEDICATION CEREMONY** (Tape 7)

Supervisor Bulova expressed her appreciation to Chairman Hanley for attending the Roberts Parkway Overpass dedication ceremony that was held on Saturday, October 20, 2001. She provided a brief history of the project.

Supervisor Bulova asked unanimous consent that the Board direct staff to invite members of the task force to appear before the Board to be recognized for their work on this project. Without objection, it was so ordered.

A brief discussion ensued.

51. **BRADDOCK DISTRICT OFFICE** (Tape 7)

(NOTE: Earlier in the meeting there was discussion of this item. See Clerk's Summary Item CL#5.)

Supervisor Bulova invited Board Members to participate in the festivities for the opening of the new Braddock District office that has been constructed adjacent to the Kings Park Library.

Supervisor Bulova said that the festivities will begin at 11 a.m. on Wednesday, October 24, 2001, and the ceremony will begin at 11:30 a.m. She added that festivities would conclude by 1 p.m.

52. **FROST PLAYERS** (Tape 7)

Supervisor Bulova referred to an article in the *Connection* newspaper regarding the Frost Players which included a photograph of Supervisor Connolly who has a part in the play *Arsenic and Old Lace*. The play is being held at Frost Intermediate School with two remaining dates - October 26-27, 2001, at 7:30 p.m.

53. **CONCURRENT PROCESSING OF THE SITE PLAN ASSOCIATED WITH THE SPECIAL EXCEPTION APPLICATION FILED BY PIZZA HUT LOCATED AT 8708 LITTLE RIVER TURNPIKE** (Tape 7)

Supervisor Gross said that Pizza Hut has filed a special exception application for property located at 8708 Little River Turnpike, at Tax Map 59-3((7))17A. To facilitate the process, the applicant has requested that the site plan be reviewed concurrently.

Supervisor Gross moved that the Board direct staff to process the site plan associated with this application concurrently. This motion should not be construed as a favorable recommendation on the special exception application by the Board and does not relieve the applicant of compliance with the provisions of any applicable ordinances, regulations, or adopted standards. Supervisor Connolly seconded the motion and it carried by a vote of seven, Supervisor Kauffman, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

54. **CONCURRENT PROCESSING FOR SPECIAL EXCEPTION APPLICATION SE 01-M-036** (Tape 7)

Supervisor Gross said that the Pinecrest School has filed Special Exception Application SE 01-M-036, for property located at 4015 Annandale Road. To facilitate the process, the applicant has requested that the site plan be reviewed concurrently.

Supervisor Gross moved that the Board direct staff to process the site plan associated with this application concurrently. This motion should not be construed as a favorable recommendation on the special exception application by the Board and does not relieve the applicant of compliance with the provisions of any applicable ordinances, regulations, or adopted standards. Supervisor Connolly seconded the motion and it carried by a vote of seven, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

55. **CHARACTER COUNTS! WEEK** (Tape 7)

Supervisor Gross announced that the week of October 21-27, 2001, is Character Counts! Week and is celebrated throughout the country as an opportunity to focus on the character education of the youth.

Supervisor Hudgins said that she announced the event at activities held at the Reston Town Center on Saturday, October 20, 2001. She said that Reston Association, Reston Community Center, the YMCA, the Reston Citizens Association, and the Greater Reston Chamber of Commerce were recognized for reaffirming their commitment to this effort.

56. **NETWORK AGAINST FAMILY ABUSE (NAFA)** (Tape 7)

Supervisor Gross announced that the Domestic Violence Coalition would become the NAFA. The renamed Coalition will bring a new focus and new vitality to an already successful Coalition. This Coalition is composed of almost 25 public agencies, organizations, and individuals whose mission is to work towards the elimination of domestic violence and to denounce violence in all forms.

Supervisor Gross moved that the Board direct staff to:

- Prepare a proclamation to recognize the Coalition, past and present, for its tremendous work.
- Invite Jewell Mikula and Debbie Harrison, the co-chairs of the NAFA, and any other appropriate individuals, community-based organizations and County agencies to receive the proclamation at the November 19, 2001, Board meeting.

Supervisor Connolly seconded the motion and it carried by a vote of seven, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

57. **ANNANDALE FALL FESTIVAL PARADE** (Tape 7)

Supervisor Gross announced that it is the time of year for one of the great Fairfax County traditions - the Annual Fall Festival Parade in downtown Annandale. The parade will be held on Saturday, October 27, 2001, kicking off at 10 a.m. on Columbia Pike. The Annandale Chamber of Commerce has announced that the Grand Marshals of the parade will be the heroic firefighters from Fairfax and Arlington Counties, the District of Columbia, and New York City, who answered the call to duty at the Pentagon and the World Trade Center.

Supervisor Gross invited Board Members and everyone in Fairfax County to attend.

58. **GREG ROY COMMUNITY** (Tape 7)

Supervisor Hudgins said that in February of this year the Board approved the rezoning necessary to facilitate the redevelopment of the Greg Roy community. The vacation and abandonment of existing public rights-of-way known as Greg Roy Lane, Roy Road, Fox Hunt Lane, and a portion of Fox Mill Road, which presently serve lots that were historically known as the Greg-Roy subdivision, were contemplated by and are a requirement of the approved rezoning.

Supervisor Hudgins moved that the Board authorize the advertisement of a public hearing to be held before the Board on December 3, 2001, for the vacation and abandonment of existing public rights-of-way known as Greg Roy Lane, Roy

Road, Fox Hunt Lane, and a portion of Fox Mill Road. Supervisor Connolly seconded the motion and it carried by a vote of seven, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

59. **HICKORY CLUSTER REVITALIZATION** (Tape 7)

Supervisor Hudgins said that a series of exhibits, lectures, and walking tours would celebrate the completion of the Hickory Cluster Revitalization Project. This project is an amazing example of commitment by residents and the community to preserve and renovate one of Reston's oldest townhouse clusters. Hickory Cluster revitalization is a story of struggles and achievements in an aging new town.

Supervisor Hudgins invited all within and beyond the community to the activities from October 26, 2001, through November 25, 2001, that will include the history of the renowned Goodman architecture to the lessons learned from the revitalization process.

60. **RESTON COMMUNITY CENTER BOARD OF GOVERNORS** (Tape 7)

(APPTS) Supervisor Hudgins said that on October 20, 2001, the Reston Community Center held its annual preference poll election for its Board of Governors. The following individuals were elected to serve three-year terms on the Reston Community Center Board of Governors:

- Ms. Beverly A. Cosham
- Mr. Terry Smith
- Ms. Mariana Tafur

In addition the following were elected to serve one-year terms as youth representatives:

- Ms. Julia Bellis
- Ms. Lorele Kirchner

Therefore, Supervisor Hudgins moved that the Board confirm the appointments/re-appointments of the above individuals to serve on the Reston Community Center's Board of Governors so that the new members can be seated at the next Board of Governors' meeting. Supervisor Connolly seconded the motion and it carried by a vote of seven, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

61. **RESTON DOG PARK OPENS** (Tape 7)

Supervisor Hudgins announced the opening of the Reston Dog Park at Baron Cameron Avenue.

62. **COMMUNITY SAMPLER** (Tape 7)

Supervisor Hudgins announced that on Tuesday, October 23, 2001, a meeting on the community sampler will be held at the Reston Community Center. She added that all the residents are invited to attend and participate in the discussion.

NV:nv

63. **SPECIAL EXCEPTION APPLICATION SE 01-P-019, CRAVEN'S NURSERY** (Tape 8)

- (A) Supervisor Connolly stated that Mr. Paul Craven submitted Special Exception Application SE 01-P-019 for which a public hearing was held before the Planning Commission on September 12, 2001. The Planning Commission is scheduled to make its recommendation on November 29, 2001. To ensure that this matter is resolved quickly, the public hearing to be held before the Board must be scheduled.

Accordingly, Supervisor Connolly moved that the Board direct staff to schedule the public hearing to be held before the Board for Special Exception Application SE 01-P-019 on **January 7, 2002, at 4:30 p.m.** Chairman Hanley seconded the motion, which carried by a vote of seven, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

64. **SULLY STATION SHOPPING CENTER APPLICATIONS** (Tape 8)

Supervisor Frey stated that Sully Station Shopping Center representatives have submitted a special exception application along with two proffered condition amendments and a final development plan amendment to permit fast food restaurants within the shopping center. These applications have been submitted to rectify problems with existing uses within the center and to permit Popeyes Restaurant as an in-line restaurant. He said that staff has indicated that the applications are in conformance with the Zoning Ordinance and in harmony with the Comprehensive Plan. He noted that, to date, no citizen opposition has been raised.

Accordingly, Supervisor Frey moved that the Board direct staff to schedule public hearings to be held before the Board for Special Exception Application SE 01-Y-040, Proffered Condition Amendment Applications PCA 85-S-013 and PCA 84-S-027, and Final Development Plan Amendment Application FDPA 84-S-027-4 for the earliest possible date following the Planning Commission public hearings. He noted that the applicants understand

that this motion will not prejudice the consideration of the applications in any way. Chairman Hanley seconded the motion, which carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn being out of the room.

65. **NATIONAL MUSEUM OF THE UNITED STATES ARMY TO BE LOCATED AT FORT BELVOIR, VIRGINIA** (Tape 8)

Supervisor Hyland distributed copies of a press release regarding the selection of Fort Belvoir as the site of the National Museum of the United States Army. He expressed appreciation to everyone involved with achieving this selection, including Thomas E. White, Secretary of the Army, and members of Congress.

On behalf of the Board, Supervisor Kauffman commended Supervisor Hyland for his efforts to win this selection.

66. **REVITALIZATION POLICY PLAN AMENDMENT** (Tape 8)

With reference to his written Board Matter on the subject of a revitalization Policy Plan amendment, Supervisor Hyland moved that the Board:

- Authorize an Out-of-Turn Plan Amendment to consider changes to the Comprehensive Plan.
- Direct staff to schedule a public hearing in February 2002.

Supervisor Hyland said that the changes would help guide the County's efforts to revitalize older commercial areas and adjacent neighborhoods. He noted that the changes include, among others, a new section in the Policy Plan on revitalization, revisions to the revitalization goals, and modifications to the definition of "revitalization" in the Plan's glossary.

Supervisor Kauffman seconded the motion, which carried by a vote of nine, Supervisor Mendelsohn being out of the room.

67. **WAIVER OF THE APPLICATION FEE ASSOCIATED WITH A RESIDENTIAL PERMIT PARKING DISTRICT (RPPD) FOR SPRING BANK COMMUNITY** (Tape 8)

With reference to his written Board Matter on the subject, Supervisor Hyland moved that the Board direct staff to waive the fees associated with the RPPD application submitted by the Spring Bank Community Association. Supervisor Bulova seconded the motion, which carried by a vote of nine, Supervisor Mendelsohn being out of the room.

68. **NO BOARD MATTERS FOR SPRINGFIELD DISTRICT SUPERVISOR ELAINE McCONNELL** (Tape 8)

Supervisor McConnell announced that she had no Board Matters to present today.

69. **RECESS/CLOSED SESSION** (Tape 8)

At 12:25 p.m., Supervisor Connolly moved that the Board recess and go into closed session for discussion and consideration of matters enumerated in *Virginia Code* 2.1-344 and listed in the agenda for this meeting as follows:

- (a) Discussion or consideration of personnel matters pursuant to Virginia Code § 2.1-344(A)(1).
- (b) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code § 2.1-344(A)(3).
- (c) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel pursuant to Virginia Code § 2.1-344(A)(7).
 - 1. *Claim of Christian Dickerson* (Braddock District)
 - 2. *U.S. Equal Employment Opportunity Commission (EEOC) Charges of Discrimination* Numbers 100A10993 (La-Rephia S. Jackson), 100A10995 (Bong Sun Song), 100A10996 (Barbara A. Hyman), 100A10997 (Karmentrina Kearse), 100A10998 (Shirley Carter), and 100A10999 (Angela R. Anderson)
 - 3. *Convista, Inc. v. Fairfax County and Fairfax County Department of Purchasing and Supply Management*, At Law No. 198574 (Fx. Co. Cir. Ct.)
 - 4. *Ebrahim A. Babazadeh v. Fairfax County Board of Supervisors*, Record No. 002257 (Va. Sup. Ct.) (Sully District)

5. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Kee Cho Han and Ae Young Han*, In Chancery No. 171989 (Fx. Co. Cir. Ct.) (Mount Vernon District)
6. *Jane W. Gwinn, Fairfax County Zoning Administrator v. William Leslie Pearson and Bill's Towing and Salvage I Corporation*, In Chancery No. 174280 (Fx. Co. Cir. Ct.) (Lee District)
7. *Jane W. Gwinn, Fairfax County Zoning Administrator, and John Wesley White, Director, Department of Public Works and Environmental Services v. Chi Won Hwang, a/k/a Charlie C. Hwang, Chi Kwon Hwang, a/k/a John C. Hwang, and Brothers Construction Company, Inc.*, In Chancery No. 172421 (Fx. Co. Cir. Ct.) (Lee District)
8. *Jane W. Gwinn, Fairfax County Zoning Administrator, and John Wesley White, Director, Department of Public Works and Environmental Services v. Charlie C. Hwang, a/k/a Chi Won Hwang, John C. Hwang, a/k/a Chi Kwon Hwang, and Samuel C. Hwang*, In Chancery No. 172341 (Fx. Co. Cir. Ct.) (Lee District)
9. *Jane W. Gwinn, Fairfax County Zoning Administrator v. A-1 Towing, Inc., and Oakwood Road Associates, LLC*, In Chancery No. 162749, (Fx. Co. Cir. Ct.) (Lee District)
10. *Fred Garrison, D.V.M. v. County of Fairfax, Virginia*, In Chancery No. 174694 (Fx. Co. Cir. Ct.) (Sully District)
11. *Fred Garrison, D.V.M. v. County of Fairfax, Virginia*, In Chancery No. 174695 (Fx. Co. Cir. Ct.) (Sully District)
12. *Board of Supervisors v. Batman/McNair Associates, L.P., et al.*, At Law No. 198639 (Fx. Co. Cir. Ct.) (Hunter Mill District)

13. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Lawrence Adusei and Margaret Adusei*, Case No. 01-26510 (Fx. Co. Gen. Dist. Ct.) (Providence District)
14. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Marietta Gaston*, Case No. 01-26513 (Fx. Co. Gen. Dist. Ct.) (Lee District)
15. *Jane W. Gwinn, Fairfax County Zoning Administrator v. David E. Conty*, Case No. 01-26511 (Fx. Co. Gen. Dist. Ct.) (Springfield District)
16. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Mashiya T. Newman*, Case No. 01-26515 (Fx. Co. Gen. Dist. Ct.) (Lee District)
17. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Crystal Lewis*, Case No. 01-26514 (Fx. Co. Gen. Dist. Ct.) (Lee District)
18. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Venesia Edghill*, Case No. 01-26512 (Fx. Co. Gen. Dist. Ct.) (Mason District)

And in addition:

- The Improper Transfer of Affordable Dwelling Unit 4562, Penny Tree Place

Supervisor Bulova seconded the motion, which carried by a vote of nine, Supervisor Mendelsohn being out of the room.

Chairman Hanley announced that closed session would begin at 1:30 p.m.

DMB:dmb

At 3:10 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Hanley presiding.

ACTIONS FROM CLOSED SESSION

70. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (Tape 9)

Supervisor Bulova moved that the Board certify that, to the best of its knowledge, only public business matters lawfully exempted from open meeting requirements

and only such public business matters as were identified in the motion by which closed session was convened were heard, discussed, or considered by the Board during the closed session. Supervisor Kauffman seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

71. **DENIAL OF THE CLAIM OF CHRISTIAN DICKERSON** (Tape 9)

Supervisor Bulova moved that the Board deny the claim of Christian Dickerson according to the terms and conditions outlined by the County Attorney in closed session. Chairman Hanley seconded the motion and it carried by unanimous vote.

(NOTE: Later in the meeting there was additional action from closed session. See CL#77.)

AGENDA ITEMS

DS:ds

72. **3 P.M. – PH ON REZONING APPLICATION RZ 2001-MV-021 (WYNGATE, LLC) (MOUNT VERNON DISTRICT)** (Tape 10)

(O) The application property is located on the south side of Richmond Highway, approximately 500 feet west of its intersection with Forest Place, Tax Map 101-3 ((1)) 35.

Ms. Lynne J. Strobel reaffirmed the validity of the affidavit for the record.

Ms. Strobel had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and she proceeded to present her case.

Following the public hearing, Mavis Stanfield, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Hyland moved:

- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2000-MV-021, from the C-8, R-2, HC, and CRD Districts to the R-8, HC, and CRD Districts, subject to the proffers dated October 15, 2001.
- Waiver of the transitional screening requirements along the southern and western boundary lines.

- Waiver of the requirement for a 600-foot maximum private street length.
- Waiver of the requirement for a service drive in favor of the interparcel access easement.

Supervisor Kauffman seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Gross being out of the room.

73. **BOARD RECESS** (Tape 10)

At 3:15 p.m., the Board recessed briefly, and at 3:30 p.m., the Board reconvened in the Board Auditorium with all Members being present, with the exception of Supervisor Gross, and with Chairman Hanley presiding.

74. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING DEVELOPMENT PLANS** (Tape 10)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of October 4 and October 11, 2001.

Following the public hearing, discussion ensued with input from Susan M. Epstein, Assistant to the Zoning Administrator, Department of Planning and Zoning.

Supervisor Connolly moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding development plans. Supervisor Hudgins and Supervisor Hyland jointly seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Gross being out of the room.

75. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING HOME CHILD CARE FACILITIES** (Tape 10)

A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of October 4 and October 11, 2001.

Discussion ensued with input from Eileen McLane, Deputy Zoning Administrator, Department of Planning and Zoning, David P. Bobzien, County Attorney, and Pamela K. Pelto, Assistant County Attorney.

Following the public hearing, which included testimony by three speakers, additional discussion ensued with input from Mr. Bobzien, Ms. Pelto, and Ms. McLane.

Supervisor Connolly moved to defer indefinitely the decision on proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding home child care facilities, to address the following issues:

- Allowing 12 children versus 10
- Whether the permitted person is the actual person that operates the child care facility and is present at the facility

Supervisor Hyland seconded the motion.

Supervisor McConnell asked to amend the motion to refer the issue to the Legislative Committee to inquire whether traffic issues and age of children could be included in the legislation. This was accepted.

The question was called on the motion, as amended, and it carried by unanimous vote.

76. **3:30 P.M. – PH ON THE CREATION/ENLARGEMENT/DE-CREATION/RECREATION OF SMALL AND LOCAL SANITARY DISTRICTS FOR REFUSE AND LEAF COLLECTION SERVICE (DRANESVILLE, MASON, AND MOUNT VERNON DISTRICTS)**
(Tape 10)

- (Rs) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of October 4 and October 11, 2001.

Following the public hearing, which included testimony by two speakers, Supervisor Mendelsohn moved adoption of the Resolutions for the Creation/Enlargement/Withdrawal of Small or Local Sanitary Districts within Dranesville, Mason, and Mount Vernon Districts in accordance with the Board's adopted criteria for the Creation/Enlargement/Withdrawal of Small or Local Sanitary Districts:

<u>Sanitary District</u>	<u>Action</u>	<u>Service</u>	<u>Recommendation</u>
Local District A-1-1 within Small District 1 within Dranesville District (Copely & Hardwood Lanes)	Enlarge	Refuse & Leaf	Approve
Small District 4 within Dranesville District (Westbury/Lewinsville Heights Subdivision area)	Create	Refuse	Approve
Small District 2 within Mason District (Glanis Drive)	Enlarge	Refuse & Leaf	Approve
Small District 4 within Mason District (Woodbridge Road)	Enlarge	Refuse & Leaf	Approve
Local District D within Small District 1 within Mount Vernon District (Ross Street)	De-Create/ Re-Create	Refuse & Leaf	Approve

Supervisor Gross and Supervisor Hyland jointly seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Hudgins being out of the room.

ADDITIONAL ACTION FROM CLOSED SESSION

77. IMPROPER TRANSFER OF AFFORDABLE DWELLING UNIT LOCATED AT 4562 PENNY TREE PLACE (SULLY DISTRICT) (Tape 10)

Supervisor Frey moved that the Board authorize the County Attorney to file a lawsuit in the Fairfax County Circuit Court along with the Zoning Administrator and the Fairfax County Department of Housing and Community Development against all appropriate parties seeking to address the improper transfer and enjoin any further improper transfers of the affordable dwelling unit located at 4562 Penny Tree Place. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Hudgins being out of the room.

AGENDA ITEMS

78. **3:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 91-L-053-5 (WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY) (LEE DISTRICT)** (Tape 10)

Supervisor Kauffman moved that the Board defer the public hearing on Special Exception Amendment Application SEA 91-L-053-5 until **November 19, 2001, at 3:30 p.m.** Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor Hudgins being out of the room.

79. **4 P.M. – PH ON REZONING APPLICATIONS RZ 2001-MV-026 AND RZ 2001-MV-025 (US GOVERNMENT "LAUREL HILL") (MOUNT VERNON DISTRICT)** (Tapes 10-12)

- (O) The RZ 2001-MV-026 application property is located west of Pohick Road across from Rockdale Lane, Tax Map 106-4 ((1) 54 pt. The RZ 2001-MV-025 application property is located northeast of Silverbrook Road, approximately 1,600 feet north of its intersection with Plaskett Lane, Tax Map 106-4 ((1)) 54 pt.

Supervisor Hyland moved that the Board waive the Policy of refusing to accept affidavits not received at least seven days in advance of the scheduled public hearing and proceed with the public hearings on Rezoning Applications RZ 2001-MV-025 and RZ 2001-MV-026. Supervisor McConnell seconded the motion.

Supervisor Hyland noted that copies of the revised affidavits had been provided, and the affidavits did not include any new names. They had been amended to show relationship information only.

Following discussion, the question was called on the motion and it carried by a vote of eight, Supervisor Frey and Supervisor Hudgins being out of the room.

Mr. Martin D. Walsh reaffirmed the validity of the affidavit for the record.

Mr. Walsh had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Supervisor Mendelsohn disclosed the following campaign contribution which he had received:

- In excess of \$200 from Pulte Home Corporation

Discussion ensued with input from Robert L. Howell, Deputy County Attorney.

Following the public hearing, which included testimony by eight speakers, Peter Braham, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Further discussion ensued with input from Mr. Howell, and Barbara Byron, Director, Zoning Evaluation Division, Department of Planning and Zoning.

Supervisor Hyland moved:

- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2001-MV-026, from the R-C District to the R-1 District, subject to the proffers dated October 19, 2001.
- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2001-MV-025, from the R-C District to the PDH-4 District, and approval of the conceptual development plan, subject to the proffers dated October 19, 2001.
- Modification of the transitional screening requirements as shown on the Conceptual Development Plan (CDP).
- Waiver of the barrier requirements along the eastern boundaries for the community recreation center.
- Waiver of the 600-foot maximum length limitation of private streets in accordance with the provisions of Section 11-302.
- Authorization of an Out-of-Turn Plan Amendment to consider changing the text for Sub-Unit 2B of the Laurel Hill Planning Sector that limits the proportion of townhouses in the sub-unit to 20 percent of the units in a manner that could allow a higher percentage of townhouses similar to Concept A of the CDP/Final Development Plan (FDP) for RZ 2001-MV-025, and that this amendment be scheduled for public hearing on an expedited basis.
- That the public hearings for the FDP Amendment application for Land Bay E, Concept A, and the FDP application for Land Bay B be scheduled on an expedited basis.
- That the Board direct the Director of the Department of Public Works and Environmental Services to review any associated site and subdivision plans concurrently with these applications.

Supervisor Kauffman seconded the motion.

Following further discussion, the question was called on the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Frey being out of the room.

80. **4 P.M. – PH ON A PROPOSAL TO VACATE AND ABANDON A PORTION OF POLO PLACE (ROUTE 3776) (DRANESVILLE DISTRICT)**
(Tape 12)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of October 4 and October 11, 2001.

Following the public hearing, Supervisor Mendelsohn moved adoption of the:

- Ordinance vacating a portion of Polo Place (Route 3776)
- Order abandoning a portion of Polo Place (Route 3776)

Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Connolly, Supervisor Frey, and Supervisor McConnell being out of the room.

81. **ORDERS OF THE DAY** (Tape 12)

Chairman Hanley announced that the Board would proceed next with the public hearing on proposed changes to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Appendix M, establishing the Manchester Lakes Restricted Parking District.

82. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 41 (ANIMALS AND FOWL), ARTICLE 2, SECTION 41-2-15 RELATING TO THE ESTABLISHMENT OF AN ORAL RABIES VACCINE DISTRIBUTION PROGRAM** (No Tape)

(NOTE: Later in the meeting this public hearing was held. See Clerk's Summary Item CL#84.)

83. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), APPENDIX M, ESTABLISHING THE MANCHESTER LAKES RESTRICTED PARKING DISTRICT (RPD) (LEE DISTRICT)** (Tape 12)

(O)(A) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of October 4 and October 11, 2001.

Following the public hearing, which included testimony by two speakers, Supervisor Kauffman moved adoption of the Ordinance establishing the Manchester Lakes RPD. The proposed establishment includes:

- Manchester Lakes Drive from Manchester Boulevard (west intersection at Hayfield Road) to Manchester Boulevard (east intersection)
- Charles Arrington Drive from Manchester Lakes Drive to the western property line of the parcel of land with the street address of 6175 Charles Arrington Drive [Tax Map Number 91-1 ((12)) parcel M]
- Manchester Park Circle from Manchester Lakes Drive to the cul-de-sac

Chairman Hanley seconded the motion and it carried by a vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Frey and Supervisor McConnell being out of the room.

Supervisor Kauffman further moved that the Board authorize the advertisement of a public hearing to be held before the Board on **November 19, 2001, at 4:30 p.m.** to expand the Manchester Lakes RPD to include the section of Manchester Lakes Drive from Manchester Boulevard east intersection south to the end of the cul-de-sac. Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn being out of the room.

84. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 41 (ANIMALS AND FOWL), ARTICLE 2, SECTION 41-2-15 RELATING TO THE ESTABLISHMENT OF AN ORAL RABIES VACCINE DISTRIBUTION PROGRAM** (Tape 12)

(O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of October 4 and October 11, 2001.

Following the public hearing, discussion ensued with input from Steve Church, Senior Environmental Health Specialist, Environmental Health Division, Department of Health.

Supervisor Kauffman moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 41 (Animals and Fowl), Article 2, Section 41-2-15 relating to the establishment of an oral rabies vaccine distribution program. Supervisor Hyland seconded the motion.

Supervisor Connolly asked unanimous consent that the Board direct staff to provide a thorough quantitative analysis of the impact of the program's pros and cons. Without objection, it was so ordered.

The question was called on the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, and Chairman Hanley voting "AYE," Supervisor Frey, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

85. **A-1 – APPROVAL OF THE FORM OF WRITTEN NOTICE TO BE USED IN CONNECTION WITH AN ORAL RABIES VACCINE DISTRIBUTION PROGRAM** (Tape 12)

(NOTE: Earlier in the meeting action was deferred on this item. See Clerk's Summary Item CL#18.)

Supervisor Kauffman moved that the Board concur in the recommendation of staff and approve the form of written notice that will be sent to owners or occupants of property prior to entry on the property to distribute the oral rabies vaccine. Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor McConnell being out of the room.

86. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), APPENDIX M, ESTABLISHING THE MANCHESTER LAKES RESTRICTED PARKING DISTRICT (RPD) (LEE DISTRICT)** (No Tape)

(NOTE: Earlier in the meeting this public hearing was held. See Clerk's Summary Item CL#83.)

87. **4:30 P.M. – PH REGARDING THE CONVEYANCE OF COUNTY-OWNED PROPERTY KNOWN AS "ABANDONED THISTLE LANE" TO WINCHESTER HOMES, INCORPORATED (PROVIDENCE DISTRICT)**
(Tape 12)

(R) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of October 4 and October 11, 2001.

Following the public hearing, Supervisor Connolly moved adoption of the Resolution authorizing the conveyance of County-owned property known as "Abandoned Thistle Lane" to Winchester Homes, Incorporated, subject to fair market value payment. Supervisor Hyland seconded the motion and it carried by a vote of six, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, and Chairman Hanley voting "AYE," Supervisor Frey, Supervisor Kauffman, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

88. **4:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 85-L-110-4 (VERESTAR, INCORPORATED) (MASON DISTRICT)** (Tape 12)

The application property is located at 6461 Stephenson Way, Tax Map 80-2 ((9)) D.

Mr. Benjamin K. Tompkins reaffirmed the validity of the affidavit for the record.

Mr. Tompkins had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Following the public hearing, Francis Burns, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Gross moved:

- Approval of Special Exception Amendment Application SEA 85-L-110-4, subject to the development conditions dated August 31, 2001.
- Modification of the transitional screening and barrier requirements along the southern property boundary in favor of that shown on the Special Exception plat, as conditioned.

Supervisor Connolly and Supervisor Hudgins jointly seconded the motion and it carried by a vote of seven, Supervisor Frey, Supervisor Kauffman, and Supervisor McConnell being out of the room.

89. **4:30 P.M. –PH ON SPECIAL EXCEPTION APPLICATION SE 01-Y-015 (REDWOOD COMMERCIAL REAL ESTATE SERVICES, LC) (SULLY DISTRICT)** (Tape 12)

The application property is located between Centreville Road and Old Centreville Road at the west terminus of Singleton's Way, Tax Map 65-2 ((1)) 14B pt.

Ms. Meagan E. Micozzi reaffirmed the validity of the affidavit for the record.

Ms. Micozzi had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and she proceeded to present her case.

Chairman Hanley disclosed the following campaign contribution which she had received:

- In excess of \$200 from Mr. Michael J. Giguere, McGuire Woods LLP

Following the public hearing, Francis Burns, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Mendelsohn, on behalf of Supervisor Frey, moved:

- Approval of Special Exception Application SE 01-Y-015, subject to the development conditions dated September 5, 2001.
- Modification of the screening requirement along the western property line, subject to the proposed development conditions.
- Waiver of the barrier requirement along the western property line, subject to the proposed development conditions.

Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor McConnell being out of the room.

90. **4:30 P.M. – PH ON OUT-OF-TURN PLAN AMENDMENT S00-III-UP2 FOR LAND UNIT D-1 IN THE DULLES SUBURBAN CENTER (HUNTER MILL AND SULLY DISTRICTS)** (Tape 12)

Supervisor Hudgins moved that the Board defer the public hearing on Out-of-Turn Plan Amendment S00-III-UP2 for Land Unit D-1 in the Dulles Suburban Center until **November 19, 2001, at 3 p.m.** Supervisor Mendelsohn seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor McConnell being out of the room.

91. **5 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 01-M-018 (MOTIVA ENTERPRISES LLC) (MASON DISTRICT)** (Tape 12)

The application property is located at 5531 Backlick Road, Tax Map 80-2 ((7)) Z1 and Z2.

Ms. Meagan Micozzi reaffirmed the validity of the affidavit for the record.

Ms. Micozzi had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and she proceeded to present her case.

Chairman Hanley disclosed the following campaign contribution which she had received:

- In excess of \$200 from Mr. Michael J. Giguere, McGuire Woods, LLP

Following the public hearing, Tracy Swagler, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Gross moved:

- Approval of Special Exception Application SE 01-M-018, subject to the development conditions dated August 29, 2001.
- Waiver of additional standard 5A of Section 9-505 of the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) to allow the use, although it is not part of an industrial building or a complex of 30,000 square feet.

Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor Frey, Supervisor Hyland, and Supervisor McConnell being out of the room.

92. **5 P.M. – PH ON REZONING APPLICATION RZ 2001-MA-017 (IVY DEVELOPMENT, LC) (MASON DISTRICT)** (Tapes 12-13)

- (O) The application property is located on the south side of Little River Turnpike, approximately 600 feet west of the intersection of Columbia Road and Little River Turnpike, Tax Map 71-2 ((1)) 27.

Ms. Lynne J. Strobel reaffirmed the validity of the affidavit for the record.

Ms. Strobel had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and she proceeded to present her case.

Following the public hearing, Francis Burnszynski, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Gross moved:

- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2001-MA-017, from the R-2 and HC Districts to the PDH-8 and HC Districts, subject to the proffers dated September 20, 2001.
- Waiver of the maximum length of private streets in favor of that shown on the Conceptual Development Plan/Final Development Plan (CDP/FDP).
- Modification of the trail requirement along Little River Turnpike in favor of that shown on the CDP/FDP.
- Modification of the screening requirement along the eastern property boundary in favor of that shown on the CDP/FDP.

Supervisor Hyland seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, and Chairman Hanley voting "AYE," Supervisor Frey, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

93. **5 P.M. – PH ON REZONING APPLICATION RZ 2000-PR-064 (S&R DEVELOPERS, INCORPORATED) (PROVIDENCE DISTRICT)** (Tape 13)

- (O) The application property is located west of Nottoway Park, on the east side of Sutton Road, approximately 400 feet south of its intersection with Courthouse Road, Tax Map 48-1 ((1)) 70.

Mr. Shabir Poonawala reaffirmed the validity of the affidavit for the record.

Mr. Poonawala had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Following the public hearing, which included testimony by four speakers, Mary Ann Godfrey, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Discussion ensued with input from Ms. Godfrey.

Supervisor Connolly moved:

- Amendment of the Zoning Ordinance, which is the subject of Rezoning Application RZ 2000-PR-064, from the R-1 District to the PDH-2 District, subject to the proffers dated September 19, 2001
- Approval of a variance of the minimum district size

Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Frey and Supervisor McConnell being out of the room.

94. **5 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING PLANT NURSERIES** (No Tape)

The public hearing on proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding plant nurseries was deferred until **January 7, 2002, at 4:30 p.m.**

ADDITIONAL BOARD MATTER95. **PUBLIC HEARING REGARDING LAND BAY A** (Tape 13)

- (A) Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved that the Board authorize the advertisement of a public hearing to be held before the Board on **November 19, 2001, at 5 p.m.** regarding the disposal of Land Bay A. Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor McConnell being out of the room.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

AGENDA ITEMS96. **5 P.M. – PUBLIC COMMENT FROM FAIRFAX COUNTY CITIZENS AND BUSINESSES ON ISSUES OF CONCERN** (Tape 13)

A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of October 4 and October 11, 2001.

The public hearing was held and included testimony by four speakers:

- Mary Breslin regarding environmental & community impact of proposal FS-2 (parkway extension)
- Joseph Clawson regarding illegal encroachment by fiberoptic cable/ VDOT letter of verification

Following the testimony of Mr. Clawson (Speaker 2), Supervisor Mendelsohn asked unanimous consent that the Board direct the County Attorney to investigate the alleged encroachment by fiberoptic cable. Without objection, it was so ordered.

Following discussion, with input from David P. Bobzien, County Attorney, the public hearing continued with testimony from the following speakers:

- Ted Kinghorn regarding the need for soccer fields in the community
- Forrest Horton regarding youth sports in McLean, Virginia

97. **BOARD ADJOURNMENT** (Tape 13)

At 7:10 p.m. the Board adjourned.

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